

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

**WILLIAM DILLON, *et al.*, individually,
and on behalf of a class of others similarly
situated,**

Plaintiffs,

v.

**CLACKAMAS COUNTY and CRAIG
ROBERTS, both individually and in his
official capacity as Sheriff,**

Defendant.

Case No. 3:14-cv-820-YY

ORDER

Michael H. Simon, District Judge.

United States Magistrate Judge Youlee Yim You issued Findings and Recommendation in this case on August 6, 2019. ECF 198. Judge You recommended that Defendants' Motion to Decertify the Class (ECF 177) be granted. Plaintiffs filed timely objections. ECF 207.

Under the Federal Magistrates Act ("Act"), the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C.

§ 636(b)(1). If a party objects to a magistrate's findings and recommendations, "the court shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.*; Fed. R. Civ. P. 72(b)(3). If no party objects,

the Act does not prescribe any standard of review. *See Thomas v. Arn*, 474 U.S. 140, 152 (1985) (“There is no indication that Congress, in enacting [the Act], intended to require a district judge to review a magistrate’s report to which no objections are filed.”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (holding that the court must review de novo magistrate’s findings and recommendations if objection is made, “but not otherwise”).

The Court has reviewed *de novo* Plaintiff’s objections (ECF 207). For the reasons stated by Judge You, the Court **ADOPTS** Judge You’s Findings and Recommendation (ECF 198). Defendants’ Motion to Decertify the Class (ECF 177) is **GRANTED**. Within 14 days, Plaintiffs shall prepare a draft notice of decertification and submit that draft to Judge You for her review and approval before sending the final notice to the class.

IT IS SO ORDERED.

DATED this 9th day of December, 2019.

/s/ Michael H. Simon
Michael H. Simon
United States District Judge